

**ARKANSAS DEPARTMENT OF EDUCATION
REPEAL OF RULES AND REGULATIONS
GOVERNING THE DISTRIBUTION OF POVERTY INDEX FUNDS**

Repealed June 14, 2004

~~1.00~~ ————— ~~REGULATORY AUTHORITY~~

~~1.01 These rules and regulations shall be known as the Arkansas Department of Education Rules and Regulations Governing the Distribution of Poverty Index Funds.~~

~~1.02 These rules and regulations are enacted pursuant to the State Board of Education's authority under Act 1549 of 1999, Section 19(f).~~

~~2.00~~ ————— ~~PURPOSE~~

~~The purpose of these rules and regulations is to establish a funding mechanism for the distribution of Poverty Index Funds to eligible public schools.~~

~~3.00~~ ————— ~~DEFINITIONS~~

~~————— 3.01 The Department. The Arkansas Department of Education~~

~~3.02 Poverty Index Funding. Established by Act 1549 of 1999, Section 19(d)(1). Funding for students with low socio-economic status, either living in areas with high concentrations of low income families or from low income families as indicated by eligibility for the free or reduced lunch program. These funds shall be used only for early intervention strategies sanctioned by the Department in reading and writing literacy or mathematics for students in Pre-Kindergarten through Grade 1.~~

~~3.03 Eligible School. A public school that qualifies for Poverty Index Funds based on its percent of F&R exceeding the minimum poverty index level.~~

~~3.04 Qualified School. An eligible school that has received approval of its Poverty Index Program Plan from the School Improvement Section of the Department.~~

- ~~3.05 Poverty Index Program Plans (PIPP). Plans that are submitted to the Department by an eligible school. The Plan shall be incorporated within the eligible school's Arkansas School Improvement Plan and will contain the program details to ensure that students are provided educational opportunities that are research based, and are linked to other successful school programs and activities. The Plan shall also contain a proposed budget.~~
- ~~3.06 Arkansas School Improvement Plan (ASIP). The individual school's comprehensive plan based on priorities indicated by assessment and other pertinent data and designed to ensure that all students demonstrate proficiency on all portions of state mandated criterion referenced assessments.~~
- ~~3.07 Pre Kindergarten. A program developed for children between the ages of three (3) and five (5) years old.~~
- ~~3.08 Kindergarten Membership (K). The number of students in Average Daily Membership in Kindergarten on October 1 of each year.~~
- ~~3.09 Grade 1 Membership (Grade 1). The number of students in Average Daily Membership in Grade 1 on October 1 of each year.~~
- ~~3.10 Free or reduced price lunch eligible students (F&R). For the 1999-2000 fiscal year only, the number of free and reduced price lunch eligible students will be the number of students in Grades K and 1 eligible for the free and reduced price lunch program as reported to the Department in December 1998 on the K-4 Free and Reduced Lunch Response Form. Beginning in the 2000-2001 fiscal year, and each year thereafter, free or reduced price lunch eligible students will be the number of students in Grades K and 1 counted in the free or reduced price lunch program as of October 1 of each year.~~
- ~~3.11 Eligible Student. A child who is at least 3 years old and participating in an approved activity or is enrolled in Grades K or 1 in an eligible public school.~~
- ~~3.12 Percent of F&R. The total number of F&R divided by the Grades K and 1 Membership.~~
- ~~3.13 Exceeding minimum requirements. Any program and/or activity that exceeds the requirements of State law, State education~~

~~standards, State Board of Education rules and regulations, and Department guidelines.~~

~~4.00 POVERTY INDEX PROGRAM PLAN APPROVAL PROCESS~~

- ~~4.01 For the 1999-2000 fiscal year, the Assistant Director for the School Improvement Section of the Department will notify school districts of their eligibility by August 30, 1999. This notification will include the 1999 Statement of Assurance on the use of Poverty Index Funds (Statement of Assurance). Each eligible school shall submit the Statement of Assurance to the School Improvement and Instructional Support Section by November 1, 1999. The School Improvement and Instructional Support Section shall review the Statement of Assurance from each eligible district, and provide a list of the names of the school with approved Statements of Assurance to the Public School Finance Section by December 31, 1999. The Public School Finance Section shall distribute half of the funds subsequent to approval of these rules and regulations, and the remaining half subsequent to approval of the Statement of Assurance by the School Improvement and Instructional Support Section.~~
- ~~4.02 The Assistant Director for School Improvement Section of the Department will establish a committee to review PIPPs from schools and make recommendations to approve them. If approval is not recommended, the Department's School Improvement Unit shall provide technical assistance to assist in developing an acceptable Plan.~~
- ~~4.03 The Public School Finance Section of the Department shall provide a list of the names of the schools eligible for Poverty Index Funds to the School Improvement and Instructional Support Section by March 31 of each year.~~
- ~~4.04 Each eligible school shall submit a PIPP, within the school's comprehensive school improvement plan, to the School Improvement and Instructional Support Section by May 30 of each year.~~
- ~~4.05 Upon review of the PIPP, the School Improvement and Instructional Support Section shall provide a list of the names of the qualified schools to the Public School Finance Section by July 31 of each year.~~

~~5.00~~ — ~~CALCULATION OF POVERTY INDEX FUNDING~~

~~5.01 Poverty Index Funding shall be calculated using the following data elements from the previous fiscal year:~~

- ~~5.01.1 Kindergarten membership~~
- ~~5.01.2 Grade 1 membership~~
- ~~5.01.3 Kindergarten F&R~~
- ~~5.01.4 Grade 1 F&R~~

~~5.02 For each public school in the state, a poverty index shall be calculated equal to the percent of F&R.~~

~~5.03 Each fiscal year, the Director of the Department shall establish the minimum poverty index level. No school with a poverty index less than the minimum level shall be eligible for Poverty Index Funds.~~

~~5.04 After the determination of the minimum poverty index level, a funding factor shall be established. The funding factor shall be equal to the amount of funds budgeted by the State Board of Education for Poverty Index Funding, divided by the sum of Grades K and 1 membership for all schools with a percent of F&R equal to or greater than the minimum poverty index level.~~

~~5.05 The amount of Poverty Index Funds that a qualified school shall receive is equal to the product of the total Grades K and 1 membership times the funding factor calculated in Section 5.04.~~

~~6.00~~ — ~~DISTRIBUTION OF FUNDS~~

~~6.01 Only those eligible schools that have a PIPP approved by the School Improvement and Instructional Support Section shall receive Poverty Index Funds.~~

~~6.02 The Funds shall be distributed to school districts in two payments.~~

~~6.03 The Funds shall be distributed to the school district, with the qualified school and amount of funds identified by LEA number.~~

~~6.04 The funding schedule shall be set on or before July 1 of each year, in compliance with Act 1549 of 1999, Section 16.~~

~~6.05 For monitoring purposes, the school district shall account for the Funds with a source of funds code and revenue code specified by the Department.~~

~~7.00~~ ~~RESTRICTED USE OF FUNDS~~

~~7.01 Funds received by a school shall be restricted to the purposes detailed in the approved PIPP.~~

~~7.02 Moneys distributed shall be exempted from inclusion in calculations of Additional Base Funding (*Ark. Code Ann. §6-20-303*) and the Federal Range Ratio (*34 C.F.R. § 222.61, et seq. (1994)*) under the exemption provision for revenues generated for students with low socio-economic status. (*See: 34 C.F.R. § 222.63(c)(3) (1994)* and *Ark. Code Ann. § 6-20-308(a) (Supp. 1997)*)~~

~~7.03 Schools may carry balances over from one fiscal year to the next. These balances shall be accounted for in the school's PIPP, and shall be restricted to approved activities.~~

~~7.04 Funds may be pooled within a district or among districts. However, funds shall only be used to benefit students in an eligible public school or as defined in its PIPP.~~

~~7.05 Any additional personnel to be employed by the school under an approved PIPP should hold an appropriate Arkansas teaching license or be exceptionally well qualified in the field of early childhood education. The qualifications for any person to be employed shall be submitted to the School Improvement and Instructional Support Section of the Department for review and approval. Other job related education, training, and/or experience may be substituted for all or part of these basic requirements upon approval by the Department.~~

~~7.06 Funds shall be used for activities designed to increase student achievement in reading, writing, and mathematics in Pre-Kindergarten through Grade 1.~~

~~7.07 Specific activities exceeding minimum requirements eligible for Poverty Index Funding, subject to Department approval, include, but are not limited to:~~

- ~~7.07.1 Hiring Literacy and/or Mathematics Specialists~~
- ~~7.07.2 Hiring Literacy Coaches~~

- ~~7.07.3 Providing Professional Development in the areas of reading and writing literacy or mathematics~~
- ~~7.07.4 Purchasing computers and/or software, or other improvements in technology to assist in instructional activities.~~
- ~~7.07.5 Establishing before and after school instructional activities~~
- ~~7.07.6 Extending school year instructional activities~~
- ~~7.07.7 Establishing, maintaining or expanding Pre-Kindergarten through Grade 1 programs~~

~~8.00 SCHOOL CLOSINGS, CONSOLIDATIONS, OR MERGERS~~

- ~~If a qualifying public school closes, consolidates, or merges after the enrollment and F&R data are collected, but prior to the distribution of funds, the funds allocated to that school shall be distributed to the school district. The superintendent of that district shall develop a specific proposal for the use of these funds. This proposal shall be submitted to the School Improvement and Instructional Support Section. The funds shall be restricted to approved activities. The funds shall not be distributed until the budget and activities have been approved.~~

~~9.00 POVERTY INDEX PROGRAM MONITORING~~

~~Regular monitoring activities of the Poverty Index Program with these Rules and Regulations shall occur annually when the Standards Assurance Unit directly monitors schools and when the School Improvement Planning Unit assists schools in development of its ASIP.~~

~~10.00 REPEALING CLAUSE~~

~~In accordance with Act 1549 of 1999, Section 19(d)(2), this Rule and Regulation shall expire June 30, 2005.~~